Instrument prepared by:

VIRGINIA GAS AND OIL BOARD

Order recorded under:

CODE OF VIRGINIA § 45.1-361.26

BEFORE THE VIRGINIA GAS AND OIL BOARD

RELIEF SOUGHT: An Order for Disbursement of Escrowed Funds

(and Authorization for Direct Payment of Royalties)

JURISDICTION: Code of Virginia § 45.1-351. (et seq) AND § 45.1-361.22 (et seq)

UNIT/WELL NAME: T-28

TRACT(S): a portion of Tract 5

(Royalties currently being paid under VP2SGU, VGOB 02-0319-1008)

LOCATION: Buchanan County, Virginia

DOCKET NUMBER: VGOB-97-0218-0565-02

APPLICANTS: CNX Gas Company LLC on behalf of Carold Cole Owenby, Barbara Cole

Maxwell, and Bill Chambers, and Yukon Pocahontas Coal Company et al including Yukon Pocahontas Coal Company, Buchanan Coal Company, Sayers-

Pocahontas Coal Company, and Plum Creek Timberlands, L.P.

HEARING DATE AND LOCATION: Russell County Government Center, Lebanon, Virginia

February 15, 2011 and November 15, 2011.

APPEARANCES: Mark Swartz, of Swartz Law Offices, PLLC, on behalf of CNX.

PRIOR PROCEEDINGS:

- I. Original Pooling Order, Executed 07/16/1997; Recorded 07/24/1997, Deed Book 464, Page 783.
- 2. Supplemental Order, Executed 10/02/1997; Recorded 10/21/1997, Deed Book 469, Page 207.
- 3. Disbursement Order -01, Executed 11/06/2008; Recorded 11/12/2008, Instrument #080004225.

NOTICE:

The Unit Operator gave notice to the Applicants that the Board would consider its disbursement petition at the February 15, 2011 hearing. This petition was continued several times because of an error and overpayment in the -01 Disbursement. Once corrected and overpayment recouped, the petition was heard November 15, 2011 where the Board considered whether to:

- (1) Amend the Pooling Order to provide for the disbursement of funds on deposit in the Escrow Account attributable to Tract 5 identified in the attached miscellaneous petition.
- (2) Delete the requirement that the Unit Operator place future royalties attributable to Tract 5 relative to the interests of the Applicants identified in the attached miscellaneous petition.
- (3) Continue the escrow account under this docket number.

FINDINGS: Code of Virginia § 45.1-361.22

Applicant has certified and represented to the Board that:

- The owners of the coal estate for Tract 5 are Yukon Pocahontas Coal Company et al
 including Yukon Pocahontas Coal Company, Buchanan Coal Company, SayersPocahontas Coal Company, and Plum Creek Timberlands, L.P. for the subject
 drilling unit.
- 2. The owners of the gas estate for a portion of Tract 5 are Carold Cole Owenby, Barbara Cole Maxwell, and Bill Chambers, for the subject drilling unit.
- 3. For Tract 5 the aforementioned owners have entered into a royalty split agreement consisting of (50/50) as referenced in the attached miscellaneous petition, as shown in Table 1.

RELIEF GRANTED:

| | | VGOR Approved Disbursement VGOR-97-0218-0565-02 T-28 | | Fractional Ownership in Trees | Net Acreage Ownership in Tract | Royalty Split Agrotment | Escrowed Acres | Percent of Escruwed Funda Dishursed |
|--------------|----------|---|---|-------------------------------|--------------------------------|-------------------------|-------------------|-------------------------------------|
| | | Table 1 | | | | | | |
| | | (a portion of Tract 5) | | | , | | | |
| lic#_ | Traci | Dishuryemen(Table | | | | | | |
| | | Total acrease in excress before disbursement the CNX assimons | mid Exhibit A-1) | · | | | 1622 | |
| _ | , | Tract 5 total acreage | | 9.64 | | | | |
| | 3 | Carold Cole Owenty - O & G | 2008 Valley Farm Rd., Wathers, NC 28173 | 1/140 | 0.0689 | 50.0% | 0.0344 | 0.7353% |
| <u> </u> | 1.5 | Barbara Cole Maxwell - O & O | 5780 Chicarood Dr., Pulaski, VA 2430) | 1/140 | 0.0689 | 50.0% | 0.0344 | 0,7353% |
| | ١, | Bill Chambers - O & G | 9940 Mill Credi Road, Millboro, VA 24460 | 1/35 | 0,2754 | 50,0% | 0,1377 | 2,9412% |
| | 3 | combined of and gas exists distrustment acrosses subtotal | | 0.4131 | | | | |
| | , | Yokon Pocahonias Coal Company, et al | | | | | | |
| ┸┸ | <u>.</u> | Yelson Pocalionius Coal Company, ULP - Coal | P O Box 187, Tangaga VA 24651 | 1/2 | 0.2066 | 50.0% | 0.1033 | 2,2059 % |
| 1 | . 5 | Bog haven Coal Company, 1LP - Coal | P.O. Box 187, Taxenell VA 24652 | 1/9 | 0.0459 | 50,0% | 0.0230 | 0.4902% |
| <u> </u> | 1 2 | Savers-Pocahontas Coal Company - Coal | P.O. Box 187. Taxonol VA. 24653 | 1/1# | 0.0230 | 50.0% | 0.01)5 | 0,245 <u>1%</u> |
| Ë | 3 | Plan Creek Typherlands, LP (Reseited CBM Interest) - Cos | Ajor Mineral Department, One Concourse Parkway, Some 755, Adama, GA, 2028 | 1/3 | 0 1377 | 50,0% | 0.0689 | 1.4706% |
| | | 75. 424. 6.45.5.44 | | 13 11 11 13 1 | Grand | | 3 A 5 | <u></u> |

- 1. The Escrow Agent is ordered, to within ten (10) days of receipt of this executed order, disburse funds for the unit and applicants detailed in Table 1.
- 2. The Escrow Agent is ordered to continue the Escrow Account for the Subject Drilling unit based on the attached Revised Exhibit E which replaces all prior Exhibit E's recorded for the Subject Drilling Unit.

CONCLUSION:

Therefore, the requested relief and all terms and provisions set forth above be and hereby are granted and IT IS SO ORDERED.

APPEALS:

Appeals of this Order are governed by the provisions of the Code of Virginia § 45.1-361.9 which provides that any order or decision of the Board may be appealed to the appropriate circuit court and that whenever a coal owner, coal operator, gas owner, gas operator, or operator of a gas storage field certificated by the State Corporation Commission is a party in such action, the court shall hear such appeal de novo.

Effective Date:

This Order shall be effective on the date of its execution.

COMMONWEALTH OF VIRGINIA COUNTY OF RUSSELL)

Acknowledged on this day of da

Diane J. Davis, Notary Public #174394

My commission expire: 09/30/2013



BEFORE THE VIRGINIA GAS AND OIL BOARD

PETITIONER: CNX Gas Company LLC DIVISION OF GAS AND OIL

DOCKET NO: VGOB 97-0218-0565-02

RELIEF SOUGHT: (1) DISBURSEMENT FROM ESCROW REGARDING TRACT(S) 5 (Royalties currently being paid under VP2SGU, VGOB 02-0319-1008)

HEARING DATE: February 15, 2011

DRILLING UNIT: T-28

BUCHANAN COUNTY, VIRGINIA

MISCELLANEOUS PETITION

- 1. Petitioner and its counsel: Petitioner is CNX Gas Company LLC, 2481 John Nash Blvd., Bluefield, West Virginia 24701, 304/323-6500. Petitioner's counsel is Mark A. Swartz, SWARTZ LAW OFFICES, PLLC, 601 Sixth Avenue, Suite 201, P.O. Box 1808, St. Albans, WV 25177-1808.
- 2. Relief sought: (1) the disbursement of escrowed funds heretofore deposited with the Board's Escrow Agent(s) attributable to Tract(s) 5 as depicted upon the annexed Exhibit A-1. (Royalties currently being paid under VP2SGU, VGOB 02-0319-1008)
- 3. <u>Legal Authority</u>: Va. Code Ann. § 45.1-361.1 <u>et seq.</u>, 4 VAC 25-160-140., and relevant Virginia Gas and Oil Board Orders ("Board") heretofore promulgated pursuant to law.
 - 4. Type of well(s): Coalbed methane.
- 5. <u>Factual basis for relief requested:</u> Yukon Pocahontas Coal Company et al including Yukon Pocahontas Coal Company, Buchanan Coal Company, Sayers-Pocahontas Coal Company, Pium Creek Timberlands L.P and Carold Cole Owenby, Barbara Cole Maxwell, and Bill Chambers have entered into a royalty split agreement. The Annexed Exhibit A-1 specifies how said royalties are to be divided and paid.
- 6. Attestation: The foregoing Petition to the best of my knowledge, information, and belief is true and correct.

CNX GAS COMPANY LLC

BY IT'S PROFESSIONAL MANAGER

CNX GAS COMPANY,LLC/PETITIONER

By:

Arlita D. Duty Pooling Supervisor

CNX Gas Company LLC 2481 John Nash Blvd.

Bluefield, West Virginia 24701

Exhibit A-1 Tract-by-Tract Escrow Calculation Account Balances as of 10/31/11

Unit T-28 VGOB 97-0218-0565-02 Acres Escrowed: 4.68229

| Tract# | Acres | Total Tract Percent of Escrow | Interest | Owners' Percent of Escrow | Amount Due Owners \$19,587.37 |
|----------|------------------|--|--|---|---|
| | 0.41314 | | | ī | |
| 5_ | 9.640 | | | | |
| P | | 0,20557 | 1/2 | 2.2059% | \$432.07 |
| P _ | | 0.04590 | 1/9 | 0.4902% | \$96,02 |
| 면 | | 0.02295 | 1/18 | 0.2451% | \$48.01 |
| | | 0.13771 | 1/3 | 1.4706% | \$288.05 |
| | 4.68229 9.640 | | | | |
| Y | | 0.06886 | 1/140 | 0.7353% | \$144.02 |
| <u> </u> | | 0.06886 | 1/140 | 0.7353% | \$144,02 |
| rs | <u> </u> | 0.27543 | 1/35 | 2.9412% | \$576,10 |
| | | 5 0.413;4 9.640 P P P 5 9.640 | Tract # Acres Percent of Escrow 0.41314 5 9.640 P 0.20557 P 0.04590 P 0.02295 0.13771 *.58229 5 9.640 27 0.06886 | Tract # Acres Percent of Escrow Interest 0.41314 9.640 | Tract # Acres Percent of Escrow Interest Escrow 0.41314 5 9.640 P 0.20557 1/2 2.2059% P 0.04590 1/9 0.4902% P 0.02295 1/18 0.2451% 0.13771 1/3 1.4706% 4.88229 9.640 9 0.06886 1/140 0.7353% HI 0.06886 1/140 0.7353% |

N 331,044,33 E 996,658.71 2 TA 77 4 18 6 5 UNIT T28 TRACT ID EXHIBIT A VG08-97-0218-0565 Company consol INC. Well Name and Number _______Quadren wooks in ______ Quadren general wooks in solution solution and solution sol __ Elevation _ Tract No. _____ County <u>BUCHANAN</u> ___ District __ This plat is a new plat _____; an updated plat _____ or a finalplat 10053 NO. OA Ma.

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CONSOL Inc. CBM T-28 Tract Identifications DGO-GO-7 Attachment

- 1. Yukon Pocahontas Coal Company, et al Tr. 99
 Coal Oil and Gas
 Island Creek Coal Company Coal Below Tiller
 Permac Coal Company Coal above drainage
 Buchanan Production Company CBM Lessee
 20.34 acres 25.4250%
- 1A. Yukon Pocahontas Coal Company, et al Surface
- 1B. Eddie Deskins Surface
- 1C. Roscoe Deskins Surface
- Yukon Pocahontas Coal Company, et al Tr. 24
 Fee
 Island Creek Coal Company Coal Below Tiller
 Permac Coal Company Coal above drainage
 Buchanan Production Company CBM Lessee
 11.17 acres 13.9625%
- 3. Yukon Pocahontas Coal Company, et al Tr. 41
 Coal Oil and Gas
 Island Creek Coal Company Coal Below Tiller
 Permac Coal Company Coal above drainage
 Buchanan Production Company CBM Lessee
 Andrew Deskins Surface
 2.29 acres 2.8625%
- 4. Yukon Pocahontas Coal Company, et al Tr. 40
 Coal Oil and Gas
 Island Creek Coal Company Coal Below Tiller
 Permac Coal Company Coal above drainage
 Buchanan Production Company CBM Lessee
 Loretta Deskins Surface
 33.74 acres 42.1750%

- 5. 4/5 Yukon Pocahontas Coal Company, et al Tr. 110
 . 1/5 C. L. Ritter Lumber Company, Tr. 51
 Coal
 C. L. Ritter Lumber Company, et al Oil & Gas
 Island Creek Coal Company Coal Below Tiller
 Permac Coal Company Coal above drainage
 Buchapan Production Company CPM Lessee
 - Permac Coal Company Coal Below Tiller
 Permac Coal Company Coal above drainage
 Buchanan Production Company CBM Lessee
 Yukon Pocahontas Coal Company, et al Surface
 9.64 acres 12.0500%
- 6. Hugh MacRae Land Trust Tr. 6 Coal
 Coal Lessees
 Island Creek Coal Company Pocahontas No. 3 seam
 United Coal Company Coal above drainage
 Consolidation Coal Company Coal below drainage
 Buchanan Production Company CBM Lessee
 Buchanan Production Company Oil & Gas Lessee
 Consolidation Coal Company Oil & Gas
 0.02 acres 0.0250%
- 7. Yukon Pocahontas Coal Company, et al
 Coal Oil and Gas
 Island Creek Coal Company Coal Below Tiller
 Permac Coal Company Coal above drainage
 Buchanan Production Company CBM Lessee
 Mary L. Mullins Surface
 2.80 acres 3.5000%

Unit T-28 Docket #VGOB 97-0218-0565 List of all Owners/Claimants

| | | | List of all Owners/Claimants | | Divison of | |
|-----|----------------|--|---------------------------------|---------------------|--------------------|--|
| | | | Net Acres in Unit | Interest In Unit | 4 Left 24.4096% | |
| ı. | COAL | FEE OWNERSHIP | | | | |
| | <u>Tract 3</u> | #1, 20.33 Acre Tract | | | | |
| | (1) | Yukon Pocahontas Coal Co. Tr. 99 P. O. Box 187 Tazewell, VA 24651 | 20.34 acres | 25.4250% | 6.2061% | |
| | Tract ? | # <u>2, 11.17 Acre Trac</u> t | | | | |
| | (1) | Yukon Pocahontas Coal Co. Tr. 24 P. O. Box 187 Tazewell, VA 24651 | 11.17 acres | 13,9625% | 3.4082% | |
| | <u>Tract</u> | #3, 2.29 Acre Tract | | | | |
| | (1) | Yukon Pocahontas Coal Co. Tr. 41 P. O. Box 187 Tazewell, VA 24651 | 2.29 acres | 2.8625% | 0.6987% | |
| | Tract: | #4, 33.74 Acre Tract | | | | |
| | (1) | Yukon Pocahontas Coal Co. Tr. 40 P. O. Box 187 Tazewell, VA 24651 | 33.74 acres | 42.1750% | 10.2947% | |
| | Tract | #5, 9,64 Acre Tract | | | | |
| | (1) | Yukon Pocahontas Coal Co. Tr. 110 P. O. Box 187 Tazewell, VA 24651 | 7.71 acres 4/5 of 9.64 acres | 9,6400% | 2.3531% | |
| | (2) | C. L. Ritter Lumber Co. P. O. Box 700 Huntington, WV 25711 | 1.93 acres 1/5 of 9.64 acres | 2.4100% | 0.5883% | |
| | <u>Tract</u> | #6, 0.02 Acre_Tract | | | | |
| | (1) | Hugh MacRae Land Trust Tr. 6 P. O. Box 29 Tazewell, VA 24651 | 0.02 acres | 0.0250% | 0.0061% | |
| | Tract | #7, 2.80 Acre Tract | | | | |
| | (1) | Yukon Pocahontas Coal Co. P. O. Box 187 Tazewell, VA 24651 | 2.80 acres | 3,5000% | 0.8543% | |
| II. | OIL& | GAS FEE OWNERSHIP | | | | |
| | Tract | #1, 20.33 Acre Tract | | | | |
| | (1) | Yukon Pocahontas Coal Co. Tr. 99 P. O. Box 187 Tazewell, VA 24651 | 20,34 acres | 25.4250% | 6.2061% | |

Exhibit E Unit T-28 Docket #VGOB 97-0218-0565-02 List of Conflicting Owners/Claimants that require Escrow

| | A)-4 A | Not Agree Interest | | nterest in |
|--|--------------------------------------|-----------------------|--------------------|--------------------|
| | Net Acres in Unit | Interest In Unit | 4 Left 24.4096% | 5 Left 27.6596% |
| Tract #5, 9.64 Acre Tract | | | | |
| COAL OWNERSHIP | | | | |
| Yukon Pocahontas Coal Company, et al. | 9.64 acres | 12.0500% | 2.9414% | 3.3330% |
| (1) Yukon Pocahontas Coal Company, et al. (Only 3/5 interest conflicting) | 5.78 acres 3/5 of 9.64 acres | 7.2300% | 1.7648% | 1.9998% |
| (a) Yukon Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651 | 2.89 acres 1/2 of 5.78 acres | 3.6150% | 0.8824% | 0.9999% |
| (b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24651 | 0.64 acres 1/9 of 5.78 acres | 0.8033% | 0.1961% | 0.2222% |
| (c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651 | 0.32 acres 1/18 of 5.78 acres | 0.4017% | 0.0980% | 0.1111% |
| (d) Consolidation Coal Company * 10545 Riverside Dr. Oakwood, VA 24631 | 1.93 acres 1/3 of 5.78 acres | 2.4100% | 0.5883% | 0.6666% |
| * Note: Plum Creck Timberlands retained their CBM interest, ther | e is no conflict. The royalty for (d | f) is to be paid to i | Plum Creek. | |
| OIL & GAS OWNERSHIP | | | | |
| Yukon Pocahontas Coal Co. Tr. 110, et al. | 9.64 acres | 12.0500% | 2.9414% | 3.3330% |
| (3) Walter Wade Heirs | | | | |
| (a) Carl Wade Heirs, Devisees, Successors or Assigns | | | | |
| (a.1) Emanuel Wade 226 Adam Street Blountville, TN 37617 | 0.16067 acres 1/60 of 9.64 acres | 0.2008% | 0.0490% | 0.0555% |
| (a.2) Gaylene Deskins 720 Skyview Drive Chilhowie, VA 24319 | 0.16067 acres 1/60 of 9.64 acres | 0.2008% | 0.0490% | 0.0555% |
| (b) Eunice Wade Baldwin Heirs, Devisees, Successors or Assigns Heirs Unknown | 0.32133 acres 1/30 of 9.64 acres | 0.4017% | 0.0980% | 0.1111% |
| (c) Stella Wade Gillespie Heirs, Devisees, Successors or Assigns Heirs Unknown | 0.32133 acres 1/30 of 9.64 acres | 0.4017% | 0.0980% | 0.1111% |
| (d) Glayds Wade Boyd P. O. Box 374 Cedar Bluff, VA 24609 | 0.32133 acres 1/30 of 9.64 acres | 0.4017% | 0.0980% | 0.1111% |
| (e) Vinnie Wade Newberry 17339 Days Point Road Smithfield, VA 23430 | 0.32133 acres 1/30 of 9.64 acres | 0.4017% | 0.0980% | 0.1111% |
| (f) Eady Wade Smith Heirs | | | | |
| (f.1) Lula Smith Robins Rt. 3, Box 277-M Cedar Bluff, VA 24609 | 0.08033 acres 1/120 of 9.64 acres | 0.1004% | 0.0245% | 0.0278% |

Exhibit E Unit T-28 Docket #VGOB 97-0218-0565-02 List of Conflicting Owners/Claimants that require Escrow

| | | | | Divison of i | nterest in |
|-------------|---|--------------------------------------|---------------------|--------------------|--------------------|
| | | Net Acres In Unit | Interest in Unit | 4 Left 24.4096% | 5 Left 27.6596% |
| | (f.2) Tom C. Smith Heirs no issue | | | | |
| | (f.3) Dolphus Smith 905 Big Creek Road Richlands, VA 24641 | 0.08033 acres 1/120 of 9.64 acres | 0.1004% | 0.0245% | 0.0278% |
| | (f.4) Raymond S. Smith Heirs, Devisees, Successors or Assigns Heirs Unknown | 0.08033 acres 1/120 of 9.64 acres | 0.1004% | 0.0245% | 0.0278% |
| | (f.5) Luther Smith Heirs, Devisees, Successors or Assigns | | | | |
| | (f.5.1) Geraldine Smith 6391 HWY 16 Conover, NC 28163 | 0.08033 acres 1/120 of 9.64 acres | 0.1004% | 0.0245% | 0.0278% |
| (4) | Myrty N. Ratliff Heirs, Devisees, Successors or Assigns Address Unknown | 1.92800 acres 1/5 of 9.64 acres | 2.4100% | 0.5883% | 0.6666% |
| (5) | Mona Webb Heirs, Devisees, Successors or Assigns | | | | |
| (d) | Virginia W. Cole Heirs Devisees, Successors or Assigns | | | | |
| | (d.3) Melissa M. Tumer Address Unknown | 0.03443 acres 1/280 of 9.64 acres | 0.0430% | 0.0105% | 0.0119% |
| | (d.4) Maura Nichole Turner Address Unknown | 0.03443 acres 1/280 of 9.64 acres | 0.0430% | 0.0105% | 0.0119% |
| | (d.5) Garrett Reid Turner Address Unknown | 0.03443 acres 1/280 of 9.64 acres | 0.0430% | 0.0105% | 0.0119% |
| | (d.6) Jordyn Noelle Turner Address Unknown | 0.03443 acres 1/280 of 9.64 acres | 0.0430% | 0.0105% | 0.0119% |
| (g) | Robert W. Casey P. O. Box 45 Shortt Gap, VA 24647 | 0.27543 acres 1/35 of 9.64 acres | 0.3443% | 0.0840% | 0.0952% |

Exhibit EE Unit T-28 Docket #VGOB 97-0218-0565-02 List of Conflicting Owners/Claimants with Royalty Split Agreements

| | | Net Acres In Unit | interest In Unit | Divison of I 4 Left 24.4096% | nterest in 5 Left 27.6596% | Percent of Escrow |
|------------|--|--|--|--|--|----------------------------------|
| #5. 9 A | 4 Acre Tract | | | | | |
| | OWNERSHIP | | | | | |
| | Pocahontas Coal Company, et al. | 9.64 acres | 12.0500% | 2.9414% | 3,3330% | |
| | Yukon Focahontas Coal Company, et al. | 5.78 acres | 7.2300% | 1.7648% | 1.9998% | |
| 173 | (Only 3/5 Interest conflicting) | 3/5 of 9.64 acres | 1 1,000 % | 1.704075 | 1.250070 | |
| (| a) Yukon Pocahontas Coal Company P.O. Box 187 Tazeweti, VA 24651 | 2.89200 acres 1/2 of 5.78 acres | 3.6150% | 0.8824% | 0.9999% | 2.2059% |
| (1 | b) Buchanan Coal Company P.O. Box 187 Tazewell, VA 24851 | 0.64267 acres 1/9 of 5.78 acres | 0.6033% | 0.1981% | 0.2222% | 0.4902% |
| (4 | c) Sayers-Pocahontas Coal Company P.O. Box 187 Tazewell, VA 24651 | 0.32133 scres 1/18 of 5.78 acres | 0.4017% | 0.0980% | 0.1111% | 0.2451% |
| (0 | O) Consolidation Coal Company 10545 Riverside Dr. Oakwood, VA 24631 | 1.92800 acres 1/3 of 5.78 acres | 2.4100% | 0.5883% | 0.6666% | |
| | Royalties Pald to: | | | | | |
| | Plum Croek Timberlands, L.P. Attn: Mineral Department One Concourse Parkway, Suite 755 Attanta, GA 30328 | 1.92800 acres 1/3 of 5.78 acres | 2.4100% | 0,5883% | 0.6656% | 1.4706% |
| | Note: Plum Creek Timberlands retained their CE The royalty for (d) to be paid to Plum Creek. GAS OWNERSHIP | M Interest, there is no conflict | | | | |
| Yukon | Pocahontas Coal Co. Tr. 110, et al. | 9.64 acres | 12.0500% | 2.9414% | 3.3330% | |
| (5) | Mona Webb Heirs, Devisees, Successors or Assigns (Only accounts for 1/5 of the total 3/5 Interest conflic | eling) | | | | |
| (a) | | | | | | |
| , | Harold Webb 298 Morrell Town Rd. Bristol, TN 37620 | 0.27543 acres 1/35 of 1.93 acres | 0.3443% | 0.0840% | 0.0952% | rs/a |
| | 298 Morrell Town Rd. | | 0.3443 % 0,3443 % | 0.0840% 0.0840% | 0.0952 % 0.0952 % | n/a n/a |
| (ь) | 298 Morrell Town Rd. Bristol, TN 37820 Harman Webb 106 3rd Avenue | 1/35 of 1.93 acres 0.27543 acres | | | | |
| (b) (c) | 298 Morrell Town Rd. Bristol, TN 37820 Harman Webb 106 3rd Avenue Richlands, VA 24641 John Webb P. O.Box 577 | 1/35 of 1.93 acres 0.27543 acres 1/35 of 1.93 acres 0.27543 acres | 0,3443% | 0.0840% | 0.0952% | n/a |
| (b) (c) | 298 Morrell Town Rd. Bristol, TN 37820 Harman Webb 108 3rd Avenue Richlands, VA 24641 John Webb P. O.Box 577 Keen Mountain, VA 24624 Vrglnia W. Cole Heirs | 1/35 of 1.93 acres 0.27543 acres 1/35 of 1.93 acres 0.27543 acres | 0,3443% | 0.0840% | 0.0952% | n/a |
| (b) (c) | 298 Morrell Town Rd. Bristol, TN 37820 Harman Webb 108 3rd Avenue Richlands, VA 24641 John Webb P. O.Box 577 Keen Mountain, VA 24624 Virginia W. Cole Heirs Devisees, Successors or Assigns (d.1) Carold Cole Ownbey 2908 Vailey Farm Road | 1/35 of 1.93 acres 0.27543 acres 1/35 of 1.93 acres 0.27543 acres 1/35 of 1.93 acres 0.05886 acres | 0.3443% 0.3443% | 0.0840 % 0.0840 % | 0.0952% 0.0952% | n∕a n∕a |
| (b) (c) | 298 Morrell Town Rd. Bristol, TN 37820 Harman Webb 108 3rd Avenue Richlands, VA 24641 John Webb P. O.Box 577 Keen Mountain, VA 24624 Virginia W. Cole Heirs Devisees, Successors or Assigns (d.1) Carold Cole Ownbey 2908 Vailey Farm Road Waxhaw, North Carolina 28173 (d.2) Barbara Cole Maxwell 5780 Chicwood Drive | 0.27543 acres 0.27543 acres 1/35 of 1.93 acres 0.27543 acres 1/35 of 1.93 acres 0.05886 acres 1/140 of 1.93 acres | 0.3443% 0.3443% 0.0861% | 0.0840% 0.0840% 0.0210% | 0.0952% 0.0952% 0.0238% | n/o n/o |
| (b) (d) | 298 Morrell Town Rd. Bristol, TN 37820 Harman Webb 106 3rd Avenue Richlands, VA 24641 John Webb P. O.Box 577 Keen Mountain, VA 24624 Virginia W. Cole Heirs Devisees, Successors or Assigns (d.1) Carold Cole Ownbey 2908 Vailey Farm Road Waxhaw, North Carolina 28173 (d.2) Barbara Cole Maxwell 5780 Chicwood Drive Pulaski, VA 24301 Emma R. Hurbert Heirs, Devisees, | 0.27543 acres 0.27543 acres 1/35 of 1.93 acres 0.27543 acres 1/35 of 1.93 acres 0.05886 acres 1/140 of 1.93 acres | 0.3443% 0.3443% 0.0861% | 0.0840% 0.0840% 0.0210% | 0.0952% 0.0952% 0.0238% | n/o n/o |
| (b) (d) | 298 Morrell Town Rd. Bristol, TN 37820 Harman Webb 106 3rd Avenue Richlands, VA 24641 John Webb P. O.Box 577 Keen Mountain, VA 24624 Virginia W. Cole Heirs Devisees, Successors or Assigns (d.1) Carold Cole Ownbey 2908 Vailey Farm Road Waxhaw, North Carolina 28173 (d.2) Barbara Cole Maxwell 5780 Chicwood Drive Pulaski, VA 24301 Emma R. Hurbert Heirs, Devisees, Successors, or Assigns (e.1) Bill Chambers 8940 Mill Creek Road | 1/35 of 1.93 acres 0.27543 acres 1/35 of 1.93 acres 0.27543 acres 1/35 of 1.93 acres 0.06886 acres 1/140 of 1.93 acres 0.06886 acres 1/140 of 1.93 acres | 0.3443% 0.3443% 0.0861% 0.0861% | 0.0840% 0.0840% 0.0210% 0.0210% | 0.0952% 0.0952% 0.0238% 0.0238% | n/o n/o 0.7353% 0.7353% |

Exhibit EE Unit T-28 Docket #VGOB 97-9218-9565-02 List of Conflicting Owners/Claimants with Royalty Split Agreements

| | | Divison of Interest in | | | | |
|---------------|--|------------------------|---------------------|--------------------|--------------------|----------------------|
| | en and the second of the secon | Net Acres in Unit | interest in Unit | 4 Left 24.4096% | 5 Left 27.8696% | Percent of Escrow |
| Tract #6, 0.0 | 2 Acre Tract | | | | | |
| COAL | OWNERSHIP | | | | | |
| (1) | Hugh MacRae Land Trust Tr. 6 P. O. Box 29 Tazewell, VA 24651 | 0.02 acres | 0.0250% | 0.0081% | 0.0089% | n/e |
| OH_& | GAS OWNERSHIP | | | | | |
| (1) | CNX Gas Company LLC (eks Consolidation Coal Company) 2481 John Nash Blvd. Bluefield, WV 24701 | 0.02 acres | 0.0250% | 0.0081% | 0.0069% | n/a |

INSTRUMENT #120001098
RECORDED IN THE CLERK'S OFFICE OF
BUCHANAN COUNTY ON
JUNE 4, 2012 AT 02:48PM

BEVERLY S. TILLER, CLERK RECORDED BY: GGB